

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Nov 17, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

C90-5078 MEJ

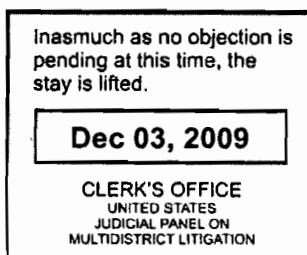
CONDITIONAL TRANSFER ORDER (CTO-24)

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 205 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.


It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

SCHEDULE CTO-24 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA NORTHERN

CAN 3 09-5078

Vilate Veirs v. Actavis Totowa, LLC, et al.

FLORIDA SOUTHERN

FLS 9 09-81584

Linda K. Suversion, etc. v. Mylan Pharmaceuticals, Inc., et al.

NEW JERSEY

NJ 2 09-5326

Carl Ramsey v. Actavis Group hf, et al.

NJ 2 09-5327

Pat Hilliard v. Actavis Group hf, et al.

NJ 2 09-5328

Loren Massey v. Actavis Group hf, et al.

NJ 2 09-5329

Lennett Kyle v. Actavis Group hf, et al.

PENNSYLVANIA EASTERN

PAE 2 09-4915

Faith G. Groves, etc. v. Actavis Group hf, et al.

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

INVOLVED CLERKS LIST (CTO-24)

Richard W. Wieking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Steven Larimore, Clerk
Paul G. Rogers Federal Building & Courthouse
701 Clematis Street
2nd Floor
West Palm Beach, FL 33401

William T. Walsh, Clerk
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street, 4th Floor
Newark, NJ 07102

Michael E. Kunz, Clerk
2609 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

INVOLVED COUNSEL LIST (CTO-24)

Harry F. Bell, Jr.
BELL LAW FIRM PLLC
P.O. Box 1723
Charleston, WV 25326-1723

Rebecca A. Betts
ALLEN GUTHRIE & THOMAS PLLC
P.O. Box 3394
Charleston, WV 25333-3394

Alicia J. Donahue
SHOOK HARDY & BACON LLP
333 Bush Street
Suite 600
San Francisco, CA 94104-2828

James E. Hoffman
LEVIN & HOFFMANN
23901 Calabasas Road
Suite 2010
Encino, CA 91302

David A. Hoines
HOINES HESS & ROSE
3081 East Commercial Boulevard
Suite 200A
Fort Lauderdale, FL 33308

Avril Dionne G. Love
TUCKER ELLIS & WEST LLP
515 South Flower Street
42nd Floor
Los Angeles, CA 90017-2223

Christopher A. Seeger
SEEGER WEISS LLP
One William Street
10th Floor
New York, NY 10004-2502

Fred Thompson, III
MOTLEY RICE LLC
28 Bridgeside Boulevard
P.O. Box 1792
Mt. Pleasant, SC 29465

Michael M. Weinkowitz
LEVIN FISHBEIN SEDRAN & BERMAN
510 Walnut Street
Suite 500
Philadelphia, PA 19106-3697

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

INVOLVED JUDGES LIST (CTO-24)

Hon. Jan E. DuBois
Senior U.S. District Judge
12613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1766

Hon. Faith S. Hochberg
U.S. District Judge
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Hon. Maria-Elena James
U.S. Magistrate Judge
15-5698 Phillip Burton U.S. Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102-3434

Hon. Kenneth A. Marra
U.S. District Judge
Paul G. Rogers Federal Building & U.S. Courthouse
701 Clematis Street
West Palm Beach, FL 33401

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

David R. Hansen
United States Court of Appeals
Eighth Circuit

W. Royal Furgeson, Jr.
United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

David G. Trager
United States District Court
Eastern District of New York

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

December 3, 2009

Teresa Deppner, Clerk
Post Office Box 2546
Charleston, WV 25329-2546

Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-24)

Dear Ms. Deppner:

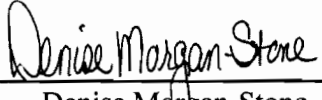
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on November 17, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved judges, clerks & Panel Service List are attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Denise Morgan-Stone
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Joseph R. Goodwin